IN THE HIGH COURT OF UTTARANCHAL

AT NAINITAL

W.P. No. 452 (M/B) of 2004

Digvijay Bhardwaj S/o Sri Gainda Lal
R/o Bhoor Khatima
P.S. Khatima
District Udham Singh Nagar ….. Petitioner

Versus

State of Uttaranchal & others ….. Respondents

Hon'ble M.M. Ghildiyal, J.
Hon'ble Rajesh Tandon, J.

Heard Sri S.C. Bhatt learned counsel for the petitioner and Sri D.S. Patni learned counsel for the respondent no.2.

Learned counsel for the petitioner has submitted that the petitioner wants to repay the loan, but due to loss in business, he could not repay the loan in time, Therefore, he has prayed for fixation of easy intalments for repayment of the loan amount.

Considering the hardship of the petitioner, it will be just and proper to allow the petitioner to repay the amount of loan in ten quarterly instalments. We, therefore, direct that the petitioner shall deposit all the arrears of dues in ten quarterly instlments within 2 ½ years. First nine instalments shall be of equal amount and the last instalment shall also include interest.

The first instalment shall be paid by the petitioner within a period of one month from today and thereafter successive instalments will be paid on the expiry of every quarter i.e. after three months. However, in case of failure to pay any instalment, this order shall stand vacated.

The writ petition is disposed of accordingly.

(Rajesh Tandon, J.) **(M.M. Ghildiyal, J.)**

03.06.2004
ASWAL